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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR:

Writ Petition No. 1671/1994

PETITIONER: Aseem Kumar Agrawal, Son of Shri. J.L. Agrawal, aged 30 years, Working as Sub Engineer in Bilaspur Development Authority, resident of 75, Rajkishore Nagar, Phase II, Bilaspur.

Versus

RESPONDENTS:

1. State of Madhya Pradesh, Through : Secretary, Department of Housing and Environment, Vallabh Bhawan, Bhopal.
2. Madhya Pradesh Vikas Pradhikaran Sangh, Through : Its Director, Kachnar Pariyavaran Parisar, E-5 Arera Colony, Bhopal.
3. Bilaspur Development Authority, Through : Its Chairman, Nehru Complex, Vyapar Vihar, Bilaspur.
4. The Chief Executive Officer, Bilaspur Development Authority, Nehru Complex, Vyapar Vihar, Bilaspur.

Shri Manindra Shrivastava, Senior Advocate with Shri Amrito Das, Advocate for the petitioner.

Shri Pankaj Shrivastava, Panel Lawyer for the Respondents No. 1 and 2.

Smt. Hamida Siddique, Advocate for the Respondents No. 3 and 4.

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

ORAL ORDER

(9th January, 2006)

The following order of the Court was passed by **Satish K. Agninotri, J.**

1. The petitioner was appointed as Sub Engineer on daily wages on 11.03.1986 (Annexure P/2), by the then Bilaspur Development Authority, now Bilaspur Municipal Corporation. The petitioner has filed this petition under Article 226 of the Constitution of India, praying that the petitioner be regularized with effect from his initial date of appointment as Sub-Engineer and also to grant him seniority and appropriate fixation of pay with effect from his initial date of appointment. The petitioner further prays that the petitioner be granted the regular pay-scale from the date, even when the petitioner was working on daily-wage basis. It is informed that the petitioner has been regularized by order dated 25.06.1998(Annexure-R/1) with effect from 27.03.1986.

2. At this stage Shri Manindra Shrivastava, learned Senior Counsel submits that the petitioner be granted liberty to make a representation to the concerned authorities i.e. Respondents No. 3 & 4 to grant regular pay scale w.e.f. the date from which the petitioner was regularized. Learned Counsel appearing for the respondents have no objection to this submission.

3. For the reasons stated above, the petition is disposed of, with liberty to the petitioner to make a representation to the respondents No. 3 & 4, relying on the judgment and order dated 7.04.1994, passed by the High Court of Madhya Pradesh at Jabalpur in M.P. No. 2035/1990, and in that event, the respondents No. 3 and 4 are directed to consider and decide the representation, if any, in accordance with law, within a period of two months from the date of presentation of the representation. No order as to costs.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge